

JOSEPH H. HUNT
Assistant Attorney General

MICHELLE R. BENNETT
Assistant Branch Director

ANDREW M. BERNIE (DC Bar No. 995376)
R. CHARLIE MERRITT (VA Bar No. 89400)
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Tel.: (202) 616-8098
Fax: (202) 616-8470
andrew.m.bernie@usdoj.gov
robert.c.merritt@usdoj.gov

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

STATE OF OREGON et al.,

Plaintiffs,
v.

Consolidated Civil Action Nos.
6:19-cv-00317-MC (Lead Case)
6:19-cv-00318-MC

ALEX M. AZAR II et al.,

Defendants. **NOTICE**

AND

**AMERICAN MEDICAL ASSOCIATION
et al.,**

Plaintiffs,

v.

ALEX M. AZAR II et al.,

Defendants.

Defendants submit this notice to inform the Court that they have sent a copy of the Administrative Record for the rule entitled Compliance with Statutory Program Integrity Requirements, 84 Fed. Reg. 7714-01 (Mar. 4, 2019)—the rule Plaintiffs challenge in this action—to counsel for the private plaintiffs and the State of Oregon.

Defendants' response to Plaintiffs' Complaints is currently due July 19 and the Court has not yet set a date for the filing of the Administrative Record. As Defendants have previously noted, Defendants intend to ultimately seek a stay of proceedings pending appeal of this Court's preliminary injunction and Defendants further anticipate conferring with Plaintiffs concerning next steps in this case. Among other things, Defendants expect that the parties will discuss how best to provide the record to the Court at the time of any summary judgment briefing (including whether, given the size of the record, to request modification of the requirements set forth in Local Rule 5-2(e)).

Dated: June 24, 2019

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

MICHELLE R. BENNETT
Assistant Branch Director

Andrew M. Bernie
ANDREW M. BERNIE (DC Bar No. 995376)
R. CHARLIE MERRITT (VA Bar No. 89400)
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Tel.: (202) 616-8488
Fax: (202) 616-8470
andrew.m.bernie@usdoj.gov
robert.c.merritt@usdoj.gov

Attorneys for Defendants